



IFW

PATENT
ATTORNEY DOCKET NO.: 040894-7390

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Toru YOSHIE)	Confirmation No.: 5515
)	
Application No.: 10/567,862)	Group Art Unit: 3725
)	
Filed: February 10, 2006)	Examiner: Unassigned
)	
For: BIND PROCESSING METHOD, BIND)	
PROCESSING DEVICE AND BINDER)	
CARTRIDGE)	

Commissioner of Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, the information contained in this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits of the above-references application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

The documents listed in this Information Disclosure Statement were cited in a Communication from the European Patent Office dated November 3, 2008. A copy of the Communication and the listed documents are enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notation on the attached PTO Form 1449.

The European Patent Office also cited JP A-2001-018571 which is already of record in the above-identified application. The reference was previously filed on February 10, 2006 and therefore, is not listed in this IDS.

The following is a concise statement of relevance of the non-English documents listed:

1. WO 03/093025 A1: The relevance of this document can be ascertained from the English-language translation of the abstract, the figures therein, and the Communication from the European Patent Office.
2. WO 99/39920: The relevance of this document can be ascertained from the English-language translation of the abstract, the figures therein, and the Communication from the European Patent Office.
3. 2000-289376: The relevance of this document can be ascertained from the English-language translation of the abstract, the figures therein, and the Communication from the European Patent Office.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

David E. Connor

Reg. No. 59,868

Dated: January 26, 2009

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

Telephone: 202.739.3000

Facsimile: 202.739.3001